

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES of AMERICA,

Plaintiff,

v.

No. 1:21-cv-958 GBW/KRS

\$68,868.59 in Funds from Bank of America  
Acct. Ending 1889,

Defendant.

**ORDER TO SHOW CAUSE**

**THIS MATTER** comes before the Court *sua sponte*. Plaintiff initiated this action on September 29, 2021, and filed an Acknowledgement of Service Executed on October 13, 2021. (Docs. 1 and 4). The docket does not reflect that Plaintiff has taken any further steps to prosecute this case, and no answer or other responsive pleading has been filed in this case. Rule 41(b) of the Federal Rules of Civil Procedure authorizes the Court to dismiss an action *sua sponte* for failure to prosecute. *See Olsen v. Mapes*, 333 F.3d 1199, 1204 n.3 (10th Cir. 2003); *see also* D.N.M. LR-Civ. 41.1 (“A civil action may be dismissed if, for a period of ninety (90) calendar days, no steps are taken to move the case forward.”). More than ninety days have passed since Plaintiff took any step to move this case forward.

**IT IS THEREFORE ORDERED** that **on or before April 25, 2022** Plaintiff must provide the Court with a written explanation showing good cause why this case should not be dismissed for failure to prosecute.



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KEVIN R. SWEAZEA  
UNITED STATES MAGISTRATE JUDGE